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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,158	10/31/2003	Kazuki Emori	SHO-0032	9103
23353 7590 09/25/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER HARPER, TRAMAR YONG				
ART UNIT		PAPER NUMBER		
3714				
MAIL DATE		DELIVERY MODE		
09/25/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/697,158

**Applicant(s)**

EMORI ET AL.

**Examiner**

TRAMAR HARPER

**Art Unit**

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-8 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**DETAILED ACTION**

***Response to Amendment***

Examiner acknowledges receipt of election to restriction requirement filed 6/24/08. Below is a supplemental restriction requirement correcting the grouping of the claims. The grouping of the claims with respect to the previous restriction was a typographical error.

***Election/Restrictions***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. **Claims 1, 3-4, and 6-8**, drawn to a gaming machine comprising a front panel attached to a front of a main body and being formed with a generally rectangular-shaped opening defined by a horizontally extending lower face, a horizontally extending upper face opposing the lower face and a pair of vertically-extending, spaced-apart side faces opposing one another and interconnecting the upper and lower faces thereby forming the opening. The gaming machine comprising a medal storage unit configured to store medal provided from the opening. Furthermore, a guide member attached to the main body and configured to guide medal into the opening. The guide member having an inner face slanting downwardly toward the opening and a projection formed as a integral construction with the guide member, the projection projecting away from the inner face of the guide member, the projection disposed either

adjacent to or at least partially within the opening and adjacent to and vertically above the lower face of the opening.

- II. **Claim 2**, drawn to a gaming machine comprising a front panel attached to a front of a main body and being formed with a generally rectangular-shaped opening defined by a horizontally extending lower face, a horizontally extending upper face opposing the lower face and a pair of vertically-extending, spaced-apart side faces opposing one another and interconnecting the upper and lower faces thereby forming the opening. The gaming machine comprising a medal storage unit configured to store medal provided from the opening. Furthermore, a guide member attached to the main body and configured to guide medal into the opening. The guide member having an inner face slanting downwardly toward the opening and a projection formed as a integral construction with the guide member, the projection projecting away from the inner face of the guide member, the projection disposed either adjacent to or at least partially within the opening and adjacent to and vertically above the lower face of the opening. The gaming machine further comprising a cover member configured to cover the inner face of the guide member.
- III. **Claim 5**, drawn to a gaming machine comprising a front panel attached to a main body and having an opening, a medal storage unit attached to the front panel and configured to store a medal provided from the opening, and a guide member attached to the main body. The guide member

configured to guide medal into the opening, wherein the guide member has a slanted bottom surface defining a plane that extends through the opening and into the metal storage unit, wherein the lower face of the opening is positioned below the plane.

The inventions are distinct, each from the other because of the following reasons:

**Inventions of Group 1 and Group 2** are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination is directed towards a gaming machine comprising a front panel attached to a front of a main body and being formed with a generally rectangular-shaped opening defined by a horizontally extending lower face, a horizontally extending upper face opposing the lower face and a pair of vertically-extending, spaced-apart side faces opposing one another and interconnecting the upper and lower faces thereby forming the opening. The gaming machine comprising a medal storage unit configured to store medal provided from the opening. Furthermore, a guide member attached to the main body and configured to guide medal into the opening. The guide member having an inner face slanting downwardly toward the opening and a projection formed as a integral construction with the guide member, the projection projecting away from the inner face of the guide member, the projection disposed either adjacent to or at least partially

within the opening and adjacent to and vertically above the lower face of the opening. The subcombination has separate utility such as a cover member configured to cover the inner face of the guide member.

**Group 2** discloses a gaming machine comprising a front panel attached to a front of a main body and being formed with a generally rectangular-shaped opening defined by a horizontally extending lower face, a horizontally extending upper face opposing the lower face and a pair of vertically-extending, spaced-apart side faces opposing one another and interconnecting the upper and lower faces thereby forming the opening. The gaming machine comprising a medal storage unit configured to store medal provided from the opening. Furthermore, a guide member attached to the main body and configured to guide medal into the opening. The guide member having an inner face slanting downwardly toward the opening and a projection formed as a integral construction with the guide member, the projection projecting away from the inner face of the guide member, the projection disposed either adjacent to or at least partially within the opening and adjacent to and vertically above the lower face of the opening. The gaming machine further comprising a cover member configured to cover the inner face of the guide member. Groups 1 and 3 do not disclose a cover member configured to cover the inner face of the guide member. Thus, Group 2 is considered to relate to a different general inventive concept in comparison to the subject matters of Groups 1 and 3.

**Group 3** discloses a gaming machine comprising a front panel attached to a main body and having an opening, a medal storage unit attached to the front panel and

configured to store a medal provided from the opening, and a guide member attached to the main body. The guide member configured to guide medal into the opening, wherein the guide member has a slanted bottom surface defining a plane that extends through the opening and into the metal storage unit, wherein the lower face of the opening is positioned below the plane. Groups 1-2 do not disclose the guide member having a slanted bottom surface defining a plane that extends through the opening and into the metal storage unit, wherein the lower face of the opening is positioned below the plane. Thus, Group 3 is considered to relate to a different general inventive concept in comparison to the subject matters of Groups 1-2.

Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

- (a) the inventions have acquired a separate status in the art in view of their different classification;
- (b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;
- (c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);
- (d) the prior art applicable to one invention would not likely be applicable to another invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

**Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAMAR HARPER whose telephone number is (571)272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

/Ronald Laneau/

Primary Examiner, Art Unit 3714

09/23/08

